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March 16, 2018

Via ECF

Hon. Ramon E. Reyes, Jr., U.S.M.J.
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Gustavia Home, LLC v. East 93 Holdings LLC, et al.
Case No. 17-cv-4262 (ILG) (RER)

Dear Judge Reyes:

The undersigned attorneys for Plaintiff Gustavia Home, LLC (“Plaintiff”) and Defendant East 93 Holdings LLC (“Defendant”) in the above-captioned action and write jointly to provide a proposed scheduling order pursuant to Your Honor’s Order of March 8, 2018.

Specifically, on March 8, 2018, Your Honor held a telephone conference with the attorneys for both parties regarding Defendant’s letter-motion to compel discovery. Your Honor granted Defendant’s Motion to compel “to [the] extent defendant ordered to provide full and complete supplemental responses to plaintiff’s discovery requests. Court will sign subpoenas for third parties if necessary.” It is respectfully noted that the Order should be revised to accurately reflect the circumstances, namely that *Plaintiff* has been Ordered to “provide full and complete supplemental responses” to *Defendant’s* discovery requests.

Counsel for both parties have agreed to the following schedule, which effectively modifies and/or replaces the Case Management Plan filed on September 13, 2017 (Doc. No. 16):

- 1) Plaintiff shall file with the Court any subpoenas for third parties requiring the Court’s endorsement **on or before March 23, 2018**;
- 2) Plaintiff shall serve (i) amended/supplemental responses to Defendant’s discovery demands dated September 6, 2017; (ii) amended/supplemental responses to Defendant’s interrogatories dated September 6, 2017; and (iii) amended/supplemental disclosures pursuant to Fed. R. Civ. P. Rule 26(a) **on or before April 20, 2018**;
- 3) Plaintiff shall produce any and all responsive documents in Plaintiff’s possession or control and any responsive documents Plaintiff obtains through subpoenas served upon third parties **on or before April 20, 2018**;

- 4) Plaintiff shall produce Jared Dotoli for a deposition **on or before June 20, 2018**; and
- 5) Both parties shall exercise good faith with a goal of completing discovery **on or before August 31, 2018**.

The undersigned respectfully request that the Court So Order the foregoing schedule and thank the Court in advance for its consideration of this matter.

Respectfully Submitted,

**THE MARGOLIN & WEINREB
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/ s / *Alan Smikun*

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